

**DRAFT BICYCLE FACILITY PROGRAM POLICIES
FOR FY 2009/2010**

The following policies apply only to the **Bicycle Facility Program**.

BICYCLE FACILITY PROGRAM DEFINITIONS

- “Bikeways” refers to Class-1 bicycle paths, Class-2 bicycle lanes, and Class-3 bicycle routes;
- “Racks/Lockers” refers to bicycle racks (including those on vehicles and vessels), bicycle lockers, and secure bicycle parking.

GENERAL

1. **Purpose:** The Bicycle Facility Program (BFP) provides incentive funds to help offset the cost of implementing bicycle facility projects in the Bay Area. The BFP is a streamlined program of the Transportation Fund for Clean Air.

ELIGIBILITY

2. **Eligible Projects:** Only projects that result in the cost-effective reduction of motor vehicle emissions within the Air District's jurisdiction are eligible.

Projects must conform to the provisions of California Health and Safety Code (HSC) sections 44220 et seq. and Air District Board of Directors adopted BFP Policies for FY 2009/10.

Projects must achieve surplus emission reductions, that is, beyond what is currently required through federal and state regulations both at the time the Air District approves a grant award and at the time of the execution of a funding agreement.

Projects must be new bicycle facilities, and included in an adopted countywide bicycle plan, Congestion Management Program (CMP), or the Metropolitan Transportation Commission's Regional Bicycle Plan.

3. **Eligible Recipients and Authority to Apply:** Grant recipients must be responsible for the implementation of the project, have the authority and capability to complete the project, and be an applicant in good standing.

A. Eligible Recipients: Only public agencies.

B. Authority to Apply: Applications must include either: 1) a signed letter of commitment from an individual with authority to enter into a funding agreement and carry out the project (e.g., Chief Executive of Financial Officer, Executive Director, City Manager, Etc.), or 2) a signed resolution from the governing body (e.g., City Council, Board of Supervisors, Board of Directors, etc.) authorizing the submittal of the application and identifying the individual authorized to submit and carry out the project.

4. **Minimum Grant Amount:** \$10,000 per project.
5. **Maximum Grant Amount:** \$120,000 per project.

6. **Readiness:** Projects must commence in calendar year 2010 or sooner. For purposes of this policy, “commence” means to receive delivery of the product provided by the project, or to award a construction contract.

APPLICANT IN GOOD STANDING

7. **In Compliance with Agreement Requirements:** Project sponsors who have failed to meet project implementation milestones or who have failed to fulfill monitoring and reporting requirements for any project funded by the Air District may not be considered eligible for new funding until such time as all of the unfulfilled obligations are met.
8. **Failed Audit:** Project sponsors who have failed either a fiscal audit or a performance audit for a prior Air District funded project will be excluded from future funding for five (5) years. Additionally, project sponsors with open Air District projects will not be reimbursed for those projects until all audit recommendations and remedies have been satisfactorily implemented. A failed fiscal audit means an uncorrected audit finding that confirms an ineligible expenditure of funds. A failed performance audit means that a project was not implemented as set forth in the project funding agreement
9. **Signed Funding Agreement:** Only a fully executed funding agreement (i.e., signed by both the project sponsor and the Air District) constitutes the Air District’s award of funds for a project.

Project sponsors must sign a funding agreement within 60 days from the date it has been transmitted to them in order to remain eligible for award of BFP funds. The Air District may authorize an extension of up to a total period of 120 days from the transmittal because of circumstances beyond the project sponsor’s reasonable control and at the Air District’s discretion.

Project sponsors who failed to return a funding agreement from a previous funding cycle are not eligible to apply for a 12-month period.

10. **Insurance:** Each project sponsor must maintain general liability insurance, and such additional insurance that is appropriate for specific projects, with coverage amounts specified in the respective funding agreements.

INELIGIBLE PROJECTS AND COSTS

11. **Duplication:** Projects that have previously received BFP or TFCA funds and therefore do not achieve additional emission reductions are not eligible for BFP funding.
12. **Costs for Maintenance, Repairs, and Operations:** Costs for maintenance, repairs, upgrades, rehabilitation, and operations (e.g., for a bike station), are not eligible for BFP funding, with the exception of retrofits from mechanical to electronic bicycle lockers.
13. **Cost for Planning Activities:** Feasibility studies are not eligible for BFP funding, nor are planning activities that are not directly related to the implementation of a specific BFP project.
14. **Cost of Developing Proposals and Grant Applications:** The costs to develop proposals or prepare applications are not eligible for BFP funding.
15. **Administrative Costs:** Administrative costs are not eligible for BFP funding. Administrative costs include accounting for BFP funds, and fulfilling reporting and record-keeping requirements specified in a BFP funding agreement

USE OF BFP FUNDS

16. **Eligible Costs:** costs for design, engineering, installation, and preparation for required environmental review documents that directly support implementation of a project are eligible for BFP funding.
17. **Expend Funds within Two Years:** Project sponsors must expend the awarded funds within two (2) years of the effective date of the funding agreement, unless a longer period is formally (i.e., in writing) approved in advance by the Air District in a funding agreement or as an amendment to the funding agreement.

PROJECT TYPES & GRANT AMOUNTS

18. Maximum Grant Award Amounts:

Eligible project types and corresponding grant amounts

Project Type	Grant Amount
Class-1 Bicycle Path	\$115,000 per mile of path
Class-2 Bicycle Lane – Continuous Construction	\$ 85,000 per mile of roadway
Class-2 Bicycle Lane – Standard	\$ 30,000 per mile of roadway
Class-3 Bicycle Route	\$ 15,000 per mile of route
Bicycle Locker(s) – Electronic	\$ 2,500 per locker
Bicycle Locker(s) – Retrofit mechanical to electronic	\$ 650 per retrofit kit
Bicycle Locker(s) – Mechanical	\$ 900 per locker
Bicycle Rack(s)	\$ 60 per bicycle accommodated
Bicycle Rack(s) on Vehicles	\$ 750 per rack
Secure Bicycle Parking	\$ 130 per bicycle accommodated

The project types and funding levels set forth above meet the TFCA cost-effectiveness (i.e., funding effectiveness) of \$90,000 of BFP funds per ton (\$/ton) of total reactive organic gases (ROG), oxides of nitrogen (NO_x), and weighted particulate matter less than 10 microns in diameter (PM₁₀) emissions reduced.

PROJECT REQUIREMENTS

19. **Project Requirements:** The following requirements apply to BFP project types.
 - A. **General Project Requirements:** Projects must, where applicable, be consistent with design standards published in Chapter 1000 of the California Highway Design Manual.
 - B. **Project-Specific Requirements:**
 - i) Bikeway grant amounts are for bikeways going in two directions on a roadway; a bikeway going in a single direction would qualify for only one-half the stated amount.
 - ii) Bikeway projects must:
 - a. reduce vehicle trips made for utilitarian purposes (e.g., work or school commuting), and
 - b. be one of the following:

- within one-half mile of at least three major activity centers (e.g., transit stations, office complexes, schools), or
 - provide a gap closure (e.g., a bridge over a roadway) in, or an extension to, an existing bicycle network that already services three major activity centers. The new segment must be within three contiguous bikeway miles of the requisite activity centers. Gap closure projects may apply for TFCA funding under the Smart Growth project type as well as BFP funding.
- iii) Bicycle Racks/lockers projects must serve a major activity center (e.g., transit station, office building, or school).
 - iv) Secure Bicycle Parking includes bicycle cages and the capital costs of bicycle parking at bike stations.
 - v) Class-2 Bicycle Lane – Continuous Construction projects must entail physical improvements (e.g., non-maintenance paving or the widening of a roadway shoulder) continuously over the length of the segment.
 - vi) Class-2 Bicycle Lane – Standard projects include projects other than Continuous Construction, such as striping, marking and loop detectors.
 - vii) Grant amounts for Continuous Construction and Standard Class-2 Bicycle Lanes cannot be combined for the same segment.